EXHIBIT A

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16   **UNITED STATES DISTRICT COURT**

17   **NORTHERN DISTRICT OF CALIFORNIA**

18   **SAN FRANCISCO DIVISION**

19   RICHARD KADREY, *et al.*,   Case No. 3:23-cv-03417-VC

20   Individual and Representative

21   Plaintiffs,   **DEFENDANT META PLATFORMS, INC.'S**
                                               OBJECTIONS AND RESPONSES TO
22   v.   **PLAINTIFFS' FIRST SET OF REQUESTS FOR**
                                               ADMISSIONS
23   META PLATFORMS, INC., a Delaware
     corporation;
24
                            Defendant.
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PROPOUNDING PARTY:	**PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH**
RESPONDING PARTY:	**DEFENDANT META PLATFORMS, INC.**
SET NUMBER:	**ONE**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure ("Rules"), Defendant Meta Platforms, Inc. ("Meta") responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and Christopher Farnsworth's First Set of Requests for Admissions ("Requests").

I.   RESPONSES TO ALL REQUESTS

1.   Meta's responses to the Requests are made to the best of Meta's present knowledge, information, and belief. Said responses are at all times subject to such additional or different information that discovery or further investigation may disclose, and Meta reserves the right to amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

2.   To the extent that Meta responds to Plaintiff's Requests by stating that Meta will provide information and/or documents which Meta or any other party to this litigation deems to embody material that is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure pursuant to Rule 26(c)(7) or Federal Rule of Evidence 501, Meta will do so pursuant to the Stipulated Protective Order entered in this case (Dkt. 90).

3.   The provision of a response to any of these Requests does not constitute a waiver of any objection regarding the use of said response in these proceedings. Meta reserves all objections or other questions as to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action for any purpose whatsoever of this response and any document or thing produced in response to the Requests.

4.   Meta reserves the right to object on any ground at any time to such other or supplemental requests for admission that Plaintiffs may propound involving or relating to the subject matter of these Requests.

II.   OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Whether or not separately set forth in response to each Request, Meta makes these objections to the following Instructions and Definitions.

1.   Meta objects to all defined terms to the extent that they are not utilized in Plaintiffs' First Set of Requests for Admission.

2.   Meta objects to the definition of "Complaint," which refers to the production of documents in response to Plaintiffs' Requests for Admission. Meta will construe "Complaint" to refer to Plaintiffs' Corrected Second Consolidated Amended Complaint (Dkt. 133), filed September 9, 2024.

3.   Meta objects to the definition of "Dataset(s)" as vague, ambiguous, as to the phrase "all collections of data," which is indefinite and overbroad. Meta further objects to the definition of "Dataset(s)" as vague and ambiguous as to the phrase "referenced, or intended to be used," which, read literally, would encompass any dataset referenced by any Meta employee in the context of the development, training, validation, testing, or evaluation of LLMs and any datasets that were intended for such use but not actually used. Meta further objects to this definition to the extent it purports to include datasets that include content to which Plaintiffs have made no claim of ownership and which are not the subject of any allegations of copyright infringement by Plaintiffs. Meta will construe "Dataset(s)" to mean the textual datasets used to train the Llama Models (as construed below).

4.   Meta objects to the definition of "Llama Models" as vague and ambiguous as to the terms and phrases "other AI models," "instances," "iterations," "versions," "updates," "modifications," "original version," "experimental versions," "subsequent versions," and "refinements to the underlying algorithm, parameters, or architecture," as applied to Llama and "any other AI models developed or in development by Meta." Meta further objects to this definition as overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to require Meta to produce documents concerning large language models ("LLMs") that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to this definition to the

1 extent that it purports to require Meta to produce documents that are not relevant to any party's

2 claims or defenses. Meta will construe "Llama Models" to mean the models within the Llama

3 family of LLMs that have been publicly released by Meta, namely, Llama 1, Llama 2, Code Llama,

4 and Llama 3.

5   **5.**   Meta objects to the definitions of "Llama 1," "Llama 2," and "Llama 3" as vague

6 and ambiguous as to the undefined terms "precursor models" and "variant models." Meta further

7 objects to these definitions as overbroad, unduly burdensome, and disproportionate to the needs of

8 the case to the extent that it purports to require Meta to produce documents or information

9 concerning LLMs that were not publicly released and/or were not trained on corpuses of text that

10 include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to these

11 definitions to the extent that they purport to require Meta to produce documents or information

12 concerning LLMs that are not relevant to any party's claims or defenses. For purposes of these

13 responses, Meta construes the term "Llama 1" to refer to the LLM released by Meta as Llama on

14 February 24, 2023, the term "Llama 2" to refer to the LLM released by Meta under that name on

15 July 18, 2023, and the term "Llama 3" to refer to the LLMs released by Meta under that name on

16 April 18, 2024, July 23, 2024, and September 25, 2024.

17   **6.**   Meta objects to the definition of "Meta" as overbroad and unduly burdensome to the

18 extent it seeks to impose on Meta an obligation to investigate information or documents outside of

19 its possession, custody, or control. For purposes of these responses, Meta construes the term

20 "Meta" or "You" to mean Meta Platforms, Inc. and its officers, directors, employees, and

21 authorized agents working on its behalf and subject to its control.

22   **7.**   Meta objects to the definition of "Relevant Period" as vague, ambiguous, and

23 unintelligible, as it is defined circularly to mean "all times relevant to … the Complaint." Meta

24 construes the Relevant Period to mean January 1, 2022 to the present.

25   **8.**   Meta objects to Instruction 4 to the extent it purports to require more of Meta than

26 any obligation imposed by law, and to the extent it purports to require Meta to disclose information

27 protected by attorney-client privilege and/or the attorney work product doctrine.

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Cooley LLP
Attorneys at Law

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Meta's Obj & Resps to
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1   **9.**   Meta objects to Instruction 5 as overbroad and unduly burdensome to the extent it

2   purports to require more of Meta than any obligation imposed by law.

3   **10.**   Meta objects to Instruction 8 insofar as it provides that any Request will be deemed

4   admitted as a result of an undefined "inadequate" response, without requiring Plaintiffs to bring a

5   motion regarding the sufficiency of an answer or objection, as required under Fed. R. Civ. P.

6   36(a)(6).

7   **III.   OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

8   **REQUEST FOR ADMISSION NO. 1:**

9   Admit that Meta created and maintains the large language models known as Llama.

10   **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, including its

12   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

13   as compound.

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

15   admits that it created a family of generative artificial intelligence ("AI") large language models

16   known under variations of the "Llama" name (i.e., Llama 1, Llama 2, Llama 3), which Meta

17   released under open source licenses. Except as expressly admitted, Meta denies the Request.

18   **REQUEST FOR ADMISSION NO. 2:**

19   Admit that the Llama Models are large language models designed to emit naturalistic text

20   outputs in response to user prompts.

21   **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, including its

23   own definitions stated therein, which are applicable to this Request. Meta objects to the terms

24   "designed to" and "naturalistic" as vague and ambiguous, as it is unclear whether this Request is

25   asking for an admission regarding Meta's intended purpose of the Llama Models or about their

26   functionality.

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1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2 admits that one of the functions of the Llama Models is to emit natural language text outputs in

3 response to user prompts. Except as expressly admitted, Meta denies the Request.

4 **REQUEST FOR ADMISSION NO. 3:**

5   Admit that the Dataset used to train Llama 1 included copyrighted books.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, including its

8 own definitions stated therein, which are applicable to this Request. Meta objects to the term

9 "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

10 Llama 1. Meta objects to this Request to the extent that it calls for a legal conclusion as to

11 "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

12 define this term.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

14 admits that text from a published and commercially-available version of one or more books is

15 included in a Dataset used to train Llama 1. As Meta lacks knowledge as to whether that text also

16 appeared in the deposit copies submitted to the U.S. Copyright Office, which delimits what is

17 covered by the corresponding copyright registrations for those books, Meta denies this RFA.

18 **REQUEST FOR ADMISSION NO. 4:**

19   Admit that the Dataset used to train Llama 2 included copyrighted books.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22 own definitions stated therein, which are applicable to this Request. Meta objects to the term

23 "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

24 Llama 2. Meta objects to this Request to the extent that it calls for a legal conclusion as to

25 "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

26 define this term.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28 admits that text from a published and commercially-available version of one or more books is

1   included in a Dataset used to train Llama 2. As Meta lacks knowledge as to whether that text also

2   appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit what is

3   covered by the corresponding copyright registrations for those books, Meta denies this RFA.

4   **REQUEST FOR ADMISSION NO. 5:**

5   Admit that the Dataset used to train Llama 3 included copyrighted books.

6   **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, including its

8   own definitions stated therein, which are applicable to this Request. Meta objects to the term

9   "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

10   Llama 3. Meta objects to this Request to the extent that it calls for a legal conclusion.

11   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

12   admits that text from a published and commercially-available version of one or more books is

13   included in a Dataset used to train Llama 3. As Meta lacks knowledge as to whether that text also

14   appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit what is

15   covered by the corresponding copyright registrations for those books, Meta denies this RFA.

16   **REQUEST FOR ADMISSION NO. 6:**

17   Admit that the Dataset used or that will be used to train Llama 4 included copyrighted books.

18   **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, including its

20   own definitions stated therein, which are applicable to this Request. Meta objects to the term

21   "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

22   Llama 4. Meta objects to this Request to the extent that it calls for a legal conclusion as to

23   "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

24   define this term. Meta objects to this Request as purely speculative and not relevant to the claims

25   or defenses of any party insofar as Meta has not yet released Llama 4 and Meta is in the process of

26   finalizing the data corpus for Llama 4.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28   admits that text from a published and commercially-available version of one or more books is

1   included in a Dataset that may be used to train Llama 4. As Meta lacks knowledge as to whether

2   that text also appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit

3   what is covered by the corresponding copyright registrations for those books, Meta denies this

4   RFA.

5   **REQUEST FOR ADMISSION NO. 7:**

6   Admit that You did not obtain permission or consent from the relevant copyright owners to

7   use all copyrighted books in the Datasets used to train Llama Models.

8   **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, including its

10   own definitions stated therein, which are applicable to this Request. Meta objects to the Request

11   as vague, ambiguous, and unintelligible as to "use all copyrighted books in the Datasets." Meta

12   also objects on the ground that the terms "relevant copyright owners" and "copyrighted books" are

13   vague, ambiguous, indefinite, undefined, and overbroad in that they are untethered to the allegedly

14   copyright registered works at issue in this Action. Meta objects to the Request as compound insofar

15   as it seeks an admission as to multiple datasets used to train Llama Models. Meta objects to this

16   Request to the extent it improperly suggests that Meta participated in the selection of books or other

17   content to be included in the datasets used to train the Llama Models or that Meta was required to

18   obtain permission from copyright owners to train the Llama Models on any unspecified content of

19   books they authored or to which they own the copyright.

20   Subject to and without waiving the foregoing objections, Meta responds as follows: As

21   written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is

22   willing to meet and confer to understand how to interpret this Request.

23   **REQUEST FOR ADMISSION NO. 8:**

24   Admit that You did not obtain permission from Plaintiffs to include the content of books

25   they authored in the Datasets used to train Llama Models.

26   **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, including its

28   own definitions stated therein, which are applicable to this Request. Meta objects to the Request

1   as compound insofar as it seeks an admission as to multiple datasets used to train Llama Models.

2   Meta further objects on the ground that the term "content of books they authored" is vague,

3   ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright

4   registered works at issue in this Action. Meta objects to this Request to the extent it improperly

5   suggests that Meta participated in the selection of books or other content to be included in the

6   datasets used to train the Llama Models or that Meta was required to obtain permission from

7   Plaintiffs to train the Llama Models on any unspecified content of books they authored.

8   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

9   admits that it did not seek, obtain, or need permission from Plaintiffs to train Llama Models using

10   Datasets to the extent they included the content of books they purportedly authored. Except as

11   expressly admitted, Meta denies the Request.

12   **REQUEST FOR ADMISSION NO. 9:**

13   Admit that You did not compensate Plaintiffs for the inclusion of the content of books they

14   authored in the Datasets used to train Llama Models.

15   **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, including its

17   own definitions stated therein, which are applicable to this Request. Meta objects to the term

18   "compensate" as vague and ambiguous. Meta will construe "compensate" to refer to financial

19   compensation. Meta objects to the Request as compound insofar as it seeks an admission as to

20   multiple datasets used to train Llama Models. Meta further objects on the ground that the term

21   "content of books they authored" is vague, ambiguous, indefinite, undefined, and overbroad in that

22   it is untethered to the allegedly copyright registered works at issue in this Action. Meta objects to

23   this Request to the extent it improperly suggests that Meta participated in the selection of the

24   content of books or other content to be included in the datasets used to train the Llama Models or

25   that Meta was required to compensate Plaintiffs to train the Llama Models on any unspecified

26   content of books Plaintiffs authored.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28   admits that it did not compensate or need to compensate Plaintiffs for the inclusion of the content

1   of books they purportedly authored in the Datasets used to train Llama Models, to the extent those

2   Datasets included the content of books they purportedly authored. Except as expressly admitted,

3   Meta denies the Request.

4   **REQUEST FOR ADMISSION NO. 10:**

5   Admit that You have made Llama 1 available for use by Third Parties.

6   **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, including its

8   own definitions stated therein, which are applicable to this Request.

9   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

10 admits that it has made Llama 1 available for use by Third Parties under certain circumstances and

11 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

12 **REQUEST FOR ADMISSION NO. 11:**

13   Admit that You have made Llama 2 available for use by Third Parties.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, including its

16 own definitions stated therein, which are applicable to this Request.

17   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

18 admits that it has made Llama 2 available for use by Third Parties under certain circumstances and

19 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

20 **REQUEST FOR ADMISSION NO. 12:**

21   Admit that You have made Llama 3 available for use by Third Parties.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, including its

24 own definitions stated therein, which are applicable to this Request.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26 admits that it has made Llama 3 available for use by Third Parties under certain circumstances and

27 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

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1   **REQUEST FOR ADMISSION NO. 13:**

2   Admit that you intend to make Llama 4 available for use by Third Parties.

3   **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, including its

5   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

6   as purely speculative and not relevant to the claims or defenses of any party insofar as Meta has not

7   yet released Llama 4.

8   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

9   admits that it currently intends to make Llama 4 available for use by Third Parties at some point in

10 the future under certain circumstances and subject to certain terms and restrictions. Except as

11 expressly admitted, Meta denies the Request.

12 **REQUEST FOR ADMISSION NO. 14:**

13   Admit that You have generated revenue from making one or more Llama Models available

14 for use by Third Parties.

15 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, including its

17 own definitions stated therein, which are applicable to this Request. Meta further objects to the

18 capitalized term "Third Parties," which is ambiguous and undefined. Meta construes this term to

19 refer to persons who are not named parties to this Action. Meta further objects to this Request on

20 the ground that the terms "generated revenue" and "from making one or more Llama Models

21 available for use by Third Parties" are vague, ambiguous, and undefined. Meta further objects on

22 the ground that this Request is compound.

23   Subject to and without waiving the foregoing objections, Meta responds as follows: ███

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26 **REQUEST FOR ADMISSION NO. 15:**

27   Admit that You have not disclosed all Datasets used to train Llama Models in response to

28 discovery in this case.

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, including its

3   own definitions stated therein, which are applicable to this Request, including, in particular

4   Objection No. 4. Meta objects to this Request as improperly seeking discovery on discovery. Meta

5   further objects to this Request to the extent it seeks information that is not relevant to the claims or

6   defenses of any party.

7   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

8   **REQUEST FOR ADMISSION NO. 16:**

9   Admit that You used the Books3 database as a Dataset to train one or more Llama Models.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, including its

12 own definitions stated therein, which are applicable to this Request. Meta objects to the term

13 "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

14 third-party dataset commonly known as Books3. Meta further objects to this Request as compound.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

16 admits that it has used a portion of the third-party dataset commonly known as Books3 as training

17 data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

18 **REQUEST FOR ADMISSION NO. 17:**

19   Admit that the Books3 database contains copyrighted works.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22 own definitions stated therein, which are applicable to this Request. Meta objects to the term

23 "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

24 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it

25 calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify

26 any copyrighted works or otherwise define this term.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28 admits that text from a published and commercially-available version of one or more copyrighted

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1   works appears in the third-party dataset commonly known as Books3. As Meta lacks knowledge

2   as to whether that text also appeared in the deposit copies submitted to the U.S. Copyright Office,

3   which delimit what is covered by the corresponding copyright registrations for those works, Meta

4   denies this RFA.

5   **REQUEST FOR ADMISSION NO. 18:**

6   Admit that Your use of the Books3 database as a Dataset for training Llama Models was

7   not authorized by all copyright owners of the works contained within the Books3 database.

8   **RESPONSE TO REQUEST FOR ADMISSION NO. 18:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, including its

10 own definitions stated therein, which are applicable to this Request. Meta objects to the term

11 "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

12 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it

13 calls for a legal conclusion. Meta objects to this Request to the extent it improperly suggests that

14 Meta participated in the selection of content to be included in the third-party Books3 dataset or that

15 Meta's use of the Books3 dataset for training the Llama Models required authorization from the

16 owners of the copyrights in the works contained within that dataset.

17   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

18 admits that it did not seek, obtain, or need authorization from all owners of any copyrighted works

19 included within the third-party dataset commonly known as Books3 to use that dataset for training

20 Llama Models. Except as expressly admitted, Meta denies this Request.

21 **REQUEST FOR ADMISSION NO. 19:**

22   Admit that You used the "Library Genesis" database as a Dataset to train one or more Llama

23 Models.

24 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

25   Meta incorporates by reference its Objections to Instructions and Definitions, including its

26 own definitions stated therein, which are applicable to this Request. Meta further objects to this

27 Request as compound.

28   Subject to and without waiving the foregoing objections, Meta responds as follows: ██████

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REQUEST FOR ADMISSION NO. 20:

Admit that the "Library Genesis" database contains copyrighted works.

RESPONSE TO REQUEST FOR ADMISSION NO. 20:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to this Request to the extent that it calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify any copyrighted works or otherwise define this term.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that text from a published and commercially-available version of one or more books appears in the third-party "Library Genesis" database. As Meta lacks knowledge as to whether that text also appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit what is covered by the corresponding copyright registrations for those works, Meta denies this RFA.

REQUEST FOR ADMISSION NO. 21:

Admit that Your use of the "Library Genesis" database as a Dataset for training Llama Models was not authorized by all copyright owners of the works contained within the "Library Genesis" database.

CONFIDENTIAL RESPONSE TO REQUEST FOR ADMISSION NO. 21:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to this Request to the extent that it calls for a legal conclusion. Meta objects to this Request to the extent it suggests that Meta's use of data from the third-party "Library Genesis" database for training the Llama Models required authorization from the owners of the copyrights in the works contained within that database.

Subject to and without waiving the foregoing objections, Meta responds as follows: ████

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3 **REQUEST FOR ADMISSION NO. 22:**

4 Admit that You used the database known as "The Pile" as a Dataset to train one or more

5 Llama Models.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 22:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, including its

8 own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The

9 Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the

10 third-party dataset commonly known as The Pile. Meta further objects to this Request as

11 compound.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

13 admits that it has used some content included in the third-party dataset commonly known as The

14 Pile as training data to train one or more Llama Models. Except as expressly admitted, Meta denies

15 this Request.

16 **REQUEST FOR ADMISSION NO. 23:**

17 Admit that the database known as "The Pile" contains copyrighted works.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 23:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its

20 own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The

21 Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the

22 third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it

23 calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify

24 any copyrighted works or otherwise define this term.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26 admits that text from a published and commercially-available version of one or more books appears

27 in the third-party dataset commonly known as The Pile. As Meta lacks knowledge as to whether

28 that text also appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit

1   what is covered by the corresponding copyright registrations for those works, Meta denies this

2   RFA.

3   **REQUEST FOR ADMISSION NO. 24:**

4   Admit that Your use of the database known as "The Pile" as a Dataset for training Llama

5   Models was not authorized by all copyright owners of the works contained within the "The Pile"

6   database.

7   **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The

10   Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the

11   third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it

12   calls for a legal conclusion. Meta objects to this Request to the extent it improperly suggests that

13   Meta participated in the selection of content to be included in the third-party dataset commonly

14   known as The Pile or that Meta's use of The Pile for training the Llama Models required

15   authorization from the owners of the copyrights in the works contained within that dataset.

16   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

17   admits that it did not seek, obtain, or need authorization from all owners of any copyrighted works

18   included within the third-party The Pile dataset to use that dataset for training Llama Models.

19   Except as expressly admitted, Meta denies this Request.

20   **REQUEST FOR ADMISSION NO. 25:**

21   Admit that You have contacted one or more Person(s) to negotiate licensing of material for

22   the purpose of training a Llama Model.

23   **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, including its

25   own definitions stated therein, which are applicable to this Request. Meta objects to the terms

26   "material" and "licensing" as vague, ambiguous, and indefinite.

27

28

COOLEY LLP
ATTORNEYS AT LAW

META'S OBJ & RESPS TO
PLTF'S FIRST SET OF RFA'S
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1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2   admits that it has contacted one or more Persons to discuss an agreement for access to and use of

3   certain data as training material. Except as expressly admitted, Meta denies this Request.

4   **REQUEST FOR ADMISSION NO. 26:**

5   Admit that You have contacted one or more copyright owners to negotiate licensing of their

6   copyrighted material for the purpose of training a Llama Model.

7   **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to the terms

10   "copyright owners," "copyrighted material," and "licensing" as vague, ambiguous, indefinite, and

11   calling for a legal conclusion.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

13   admits that it has contacted one or more Persons to discuss an agreement for access to and use of

14   certain data that may include copyrighted material as training material. Except as expressly

15   admitted, Meta denies this Request.

16   **REQUEST FOR ADMISSION NO. 27:**

17   Admit that each Llama Model can generate text outputs similar to copyrighted works in

18   Datasets used to train each Llama Model.

19   **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, including its

21   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

22   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

23   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

24   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

25   grounds that the terms "copyrighted works" and "similar to copyrighted works" are vague,

26   ambiguous, undefined, indefinite, and call for a legal conclusion. Meta objects to this Request as

27   speculative insofar as it seeks an admission as to whether the Llama Models "can" generate certain

28   text outputs, regardless of whether they actually do generate those text outputs. Meta objects to the

1   phrase "each Llama Model can generate" as vague and ambiguous. Meta will construe "each Llama

2   Model can generate" to refer to the capabilities of the final, released versions of Llama 1, Llama 2,

3   and Llama 3, as construed above. Meta further objects to this Request on the ground that it

4   constitutes an incomplete hypothetical and calls for speculation.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

6   **REQUEST FOR ADMISSION NO. 28:**

7   Admit that You issued a DMCA takedown notice to a Person who made a leaked version

8   of Llama 1 available for download to third parties.

9   **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, including its

11   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

12   insofar as it seeks information that is not relevant to any party's claims or defenses. Meta objects

13   to the term "leaked version" as vague, ambiguous, and undefined. Meta construes the term "third

14   parties" synonymously with the defined term Third Parties.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

16   admits that it issued a DMCA takedown notice to a Person who made the Llama 1 weights available

17   for download to Third Parties other than those Persons authorized to use Llama 1. Except as

18   expressly admitted, Meta denies this Request.

19   **REQUEST FOR ADMISSION NO. 29:**

20   Admit that You received more than 100,000 applications for access to Llama 1.

21   **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, including its

23   own definitions stated therein, which are applicable to this Request. Meta objects to the term

24   "applications" as vague and ambiguous.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26   admits that it received more than 100,000 requests to provide access to Llama 1. Except as

27   expressly admitted, Meta denies this Request.

28

1 **REQUEST FOR ADMISSION NO. 30:**

2   Admit that You granted access to Llama 1 to tens of thousands of third-party users.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, including its

5 own definitions stated therein, which are applicable to this Request. Meta construes "third parties"

6 in this Request synonymously with the defined term Third Parties.

7   Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

8 **REQUEST FOR ADMISSION NO. 31:**

9   Admit that You granted access to Llama 2 to tens of thousands of third-party users.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, including its

12 own definitions stated therein, which are applicable to this Request. Meta objects to the term

13 "granted access" as vague and ambiguous in the context of Llama 2, which is freely available. Meta

14 construes "third parties" in this Request synonymously with the defined term Third Parties.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

16 admits that Llama 2 is freely available to at least tens of thousands of third-party users. Except as

17 expressly admitted, Meta denies this Request.

18 **REQUEST FOR ADMISSION NO. 32:**

19   Admit that You granted access to Llama 3 to tens of thousands of third-party users.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22 own definitions stated therein, which are applicable to this Request. Meta objects to the term

23 "granted access" as vague and ambiguous in the context of Llama 3, which is freely available. Meta

24 construes "third parties" in this Request synonymously with the defined term Third Parties.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26 admits that Llama 3 is freely available to at least tens of thousands of third-party users. Except as

27 expressly admitted, Meta denies this Request.

28

REQUEST FOR ADMISSION NO. 33:

Admit that one or more Llama Models were trained using publicly available data.

RESPONSE TO REQUEST FOR ADMISSION NO. 33:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term "publicly available data" as vague and ambiguous, and will construe the term to mean data that is accessible for free to the general public. Meta further objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

REQUEST FOR ADMISSION NO. 34:

Admit that the publicly available data used to train the Llama Models included copyrighted works.

RESPONSE TO REQUEST FOR ADMISSION NO. 34:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term "publicly available data" as vague and ambiguous, and will construe the term to mean data that is accessible for free to the general public. Meta objects to this Request to the extent that it calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify any copyrighted works or otherwise define this term. Meta further objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that the publicly available data used to train the Llama Models included text from a published and commercially-available version of one or more copyrighted works. As Meta lacks knowledge as to whether that text also appeared in the deposit copies submitted to the U.S. Copyright Office, which delimit what is covered by the corresponding copyright registrations for those works, Meta denies this RFA.

REQUEST FOR ADMISSION NO. 35:

Admit that Meta has not provided to Plaintiffs a list of works used in the Datasets used to train Llama Models.

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, including its

3   own definitions stated therein, which are applicable to this Request. Meta objects to the term

4   "works" as vague, ambiguous, and indefinite. Meta objects to this Request as it improperly seeking

5   discovery on discovery.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

7   Meta has produced a list of the content of the third-party Books3 dataset (Meta_Kadrey_00000250),

8   which is alleged to include text from each of Plaintiffs' books that are at issue in the Complaint.

9   Meta is not aware or in possession of any list(s) of the content of any other Datasets used to train

10   the Llama Models, and any such list(s) would not be relevant to the Parties' claims or defenses nor

11   proportional to the needs of this case. Except as expressly admitted, Meta denies this Request.

12   **REQUEST FOR ADMISSION NO. 36:**

13   Admit that the toxicity mitigation measures in Llama 2 were identical to those present in

14   Llama 1.

15   **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, including its

17   own definitions stated therein, which are applicable to this Request. Meta objects to the term

18   "toxicity mitigation measures" as vague, ambiguous, and undefined. Meta will construe this term

19   to refer to measures taken or implemented to avoid generating toxic content as outputs.

20   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

21   **REQUEST FOR ADMISSION NO. 37:**

22   Admit that the toxicity mitigation measures in Llama 3 were identical to those present in

23   Llama 2.

24   **RESPONSE TO REQUEST FOR ADMISSION NO. 37:**

25   Meta incorporates by reference its Objections to Instructions and Definitions, including its

26   own definitions stated therein, which are applicable to this Request. Meta objects to the term

27   "toxicity mitigation measures" as vague, ambiguous, and undefined. Meta will construe this term

28   to refer to measures taken or implemented to avoid generating toxic content as outputs.

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

2   **REQUEST FOR ADMISSION NO. 38:**

3   Admit that You store copyrighted material for training Llama Models.

4   **RESPONSE TO REQUEST FOR ADMISSION NO. 38:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, including its

6   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

7   to the extent that it calls for a legal conclusion. Meta objects to this Request on the grounds that

8   the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls for a legal

9   conclusion. Meta objects to the term "store copyrighted material for training Llama Models" as

10   vague and ambiguous. Meta also objects on the ground that this Request is overbroad and seeks

11   information that is not relevant to any party's claims or defenses. Meta objects to this Request as

12   compound.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: As

14   written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is

15   willing to meet and confer to understand how to interpret this Request.

16   **REQUEST FOR ADMISSION NO. 39:**

17   Admit that You have not deleted all copyrighted material in Your possession after it is used

18   for training Llama Models.

19   **RESPONSE TO REQUEST FOR ADMISSION NO. 39:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, including its

21   own definitions stated therein, which are applicable to this Request. . Meta objects to this Request

22   on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite,

23   and calls for a legal conclusion. Meta objects to this Request to the extent it suggests that Meta

24   was required to delete copyrighted material used for training LLMs after the material was used to

25   train its Llama Models. Meta also objects on the ground that this Request is overbroad and seeks

26   information that is not relevant to any party's claims or defenses. Meta objects to this Request as

27   compound.

28   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1   admits that it has not deleted all training data used to train its Llama Models in its possession after

2   that training data was used to train its Llama Models, including, in part, to comply with its

3   obligations to preserve relevant documents and materials in connection with this Action. Except

4   as expressly admitted, Meta denies this Request.

5   **REQUEST FOR ADMISSION NO. 40:**

6   Admit that you reproduced copyrighted material in the training of Llama models.

7   **RESPONSE TO REQUEST FOR ADMISSION NO. 40:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to the term

10   "Llama models" as vague and ambiguous to the extent its meaning is intended to be different from

11   the defined term "Llama Models." Meta will construe "Llama models" as the defined term "Llama

12   Models" as limited and construed above. Meta objects to this Request on the grounds that the terms

13   "copyrighted material" and "reproduced" are vague, ambiguous, undefined, indefinite, and call for

14   a legal conclusion. Meta objects to this Request to the extent it calls for a legal conclusion. Meta

15   objects to this Request as compound.

16   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

17   **REQUEST FOR ADMISSION NO. 41:**

18   Admit that the Llama Models are capable of reproducing copyrighted material.

19   **RESPONSE TO REQUEST FOR ADMISSION NO. 41:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, including its

21   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

22   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

23   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

24   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

25   grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls

26   for a legal conclusion. Meta objects to this Request as speculative insofar as it seeks an admission

27   as to whether the Llama Models "are capable of" reproducing certain material, regardless of

28   whether they actually do reproduce such material. Meta objects to the phrase "the Llama Models

Cooley LLP
Attorneys at Law

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Meta's Obj & Resps to
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1   are capable of reproducing" as vague and ambiguous. Meta will construe "the Llama Models are

2   capable of reproducing" to refer to the capabilities of the final, released versions of Llama 1, Llama

3   2, and Llama 3, as construed above. Meta further objects to this Request on the ground that it

4   constitutes an incomplete hypothetical and calls for speculation.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

6   **REQUEST FOR ADMISSION NO. 42:**

7   Admit that the Llama Models are programmed, trained, or filtered to avoid reproducing

8   copyrighted material.

9   **RESPONSE TO REQUEST FOR ADMISSION NO. 42:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, including its

11   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

12   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

13   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

14   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

15   grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls

16   for a legal conclusion.

17   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

18   admits that it implemented certain risk mitigation measures in the process of developing the Llama

19   Models to minimize the likelihood that the models would generate undesirable outputs, including

20   outputs that may reproduce portions of any copyrighted materials. Except as expressly admitted,

21   Meta denies this Request.

22   **REQUEST FOR ADMISSION NO. 43:**

23   Admit that the Llama Models that were trained with copyrighted material had at least in

24   part a commercial purpose.

25   **RESPONSE TO REQUEST FOR ADMISSION NO. 43:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, including its

27   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

28   on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite,

1   and calls for a legal conclusion. Meta objects to the Request as compound.

2   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

3   admits that Llama 2 and Llama 3 models were made available to the open source community

4   pursuant to a license that allowed developers to use the models for commercial uses pursuant to

5   certain terms and conditions. Meta also admits that the data used to train the Llama Models

6   included text from a published and commercially-available version of one or more copyrighted

7   works. As Meta lacks knowledge as to whether that text also appeared in the deposit copies

8   submitted to the U.S. Copyright Office, which delimit what is covered by the corresponding

9   copyright registrations for those works, Meta denies this RFA to the extent it seeks an admission

10   that the Llama Models were trained with copyrighted material. Except as expressly admitted, Meta

11   denies this Request.

12   **REQUEST FOR ADMISSION NO. 44:**

13   Admit that if copyright holders or other content creators demanded that You not use their

14   content to train Your LLM models, then You would not use their content to train Your LLM models.

15   **RESPONSE TO REQUEST FOR ADMISSION NO. 44:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, including its

17   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

18   on the ground that it constitutes an incomplete hypothetical and as purely speculative.

19   Subject to and without waiving the foregoing objections, Meta responds as follows: As

20   written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is

21   willing to meet and confer to understand how to interpret this Request.

22   **REQUEST FOR ADMISSION NO. 45:**

23   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Aloha from Hell*.

24   **RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

25   Meta incorporates by reference its Objections to Instructions and Definitions, which are

26   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

27   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

28   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

1   commonly known as Books3.

2   Meta lacks information sufficient to admit or deny that *Aloha from Hell*, which is the subject

3   of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the Books3

4   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Aloha*

5   *from Hell* submitted to the U.S. Copyright Office, which delimits what is covered by the

6   corresponding copyright registration. Meta admits that text from a published and commercially-

7   available version of *Aloha from Hell* is included in the third party Books3 dataset. As Meta lacks

8   knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

9   this RFA.

10   **REQUEST FOR ADMISSION NO. 46:**

11   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Everything*

12   *Box*.

13   **RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

16   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

17   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

18   commonly known as Books3.

19   Meta lacks information sufficient to admit or deny that *The Everything Box*, which is the

20   subject of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the

21   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

22   for *The Everything Box* submitted to the U.S. Copyright Office, which delimits what is covered by

23   the corresponding copyright registration. Meta admits that text from a published and

24   commercially-available version of *The Everything Box* is included in the third party Books3

25   dataset. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

26   this work, Meta denies this RFA.

27   **REQUEST FOR ADMISSION NO. 47:**

28   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Kill the Dead*.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6 commonly known as Books3.

7   Meta lacks information sufficient to admit or deny that *Kill the Dead*, which is the subject

8 of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the Books3

9 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Kill*

10 *the Dead* submitted to the U.S. Copyright Office, which delimits what is covered by the

11 corresponding copyright registration. Meta admits that text from a published and commercially-

12 available version of *Kill the Dead* is included in the third-party Books3 dataset. As Meta lacks

13 knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

14 this RFA.

15 **REQUEST FOR ADMISSION NO. 48:**

16   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Perdition*

17 *Score*.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, which are

20 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

21 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

22 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

23 commonly known as Books3.

24   Meta lacks information sufficient to admit or deny that *The Perdition Score*, which is the

25 subject of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the

26 Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

27 for *The Perdition Score* submitted to the U.S. Copyright Office, which delimits what is covered by

28 the corresponding copyright registration. Meta admits that text from a published and

1 commercially-available version of *The Perdition Score* is included in the third-party dataset

2 commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

3 the deposit copy for this work, Meta denies this RFA.

4 **REQUEST FOR ADMISSION NO. 49:**

5   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Sandman Slim*.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

9 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

10 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

11 commonly known as Books3.

12   Meta lacks information sufficient to admit or deny that *Sandman Slim*, which is the subject

13 of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the Books3

14 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

15 *Sandman Slim* submitted to the U.S. Copyright Office, which delimits what is covered by the

16 corresponding copyright registration. Meta admits that text from a published and commercially-

17 available version of *Sandman Slim* is included in the third-party dataset commonly known as

18 Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

19 this work, Meta denies this RFA.

20 **REQUEST FOR ADMISSION NO. 50:**

21   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Wrong Dead*

22 *Guy*.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 50:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28 commonly known as Books3.

1   Meta lacks information sufficient to admit or deny that *The Wrong Dead Guy*, which is the

2   subject of Plaintiff Kadrey's claim and allegedly subject to copyright protection, is contained in the

3   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

4   for *The Wrong Dead Guy* submitted to the U.S. Copyright Office, which delimits what is covered

5   by the corresponding copyright registration. Meta admits that text from a published and

6   commercially-available version of *The Wrong Dead Guy* is included in the third-party dataset

7   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

8   the deposit copy for this work, Meta denies this RFA.

9   **REQUEST FOR ADMISSION NO. 51:**

10   Admit that the Books3 database contains Plaintiff Sarah Silverman's work *The Bedwetter*.

11   **RESPONSE TO REQUEST FOR ADMISSION NO. 51:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16   commonly known as Books3.

17   Meta lacks information sufficient to admit or deny that *The Bedwetter*, which is the subject

18   of Plaintiff Silverman's claim and allegedly subject to copyright protection, is contained in the

19   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

20   for *The Bedwetter* submitted to the U.S. Copyright Office, which delimits what is covered by the

21   corresponding copyright registration. Meta admits that text from a published and commercially-

22   available version of *The Bedwetter* is included in the third-party dataset commonly known as

23   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

24   this work, Meta denies this RFA.

25   **REQUEST FOR ADMISSION NO. 52:**

26   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Ararat*.

27   **RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

28   Meta incorporates by reference its Objections to Instructions and Definitions, which are

1   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

2   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

3   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

4   commonly known as Books3.

5   Meta lacks information sufficient to admit or deny that *Ararat*, which is the subject of

6   Plaintiff Golden's claim and allegedly subject to copyright protection, is contained in the Books3

7   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Ararat*

8   submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

9   copyright registration. Meta admits that text from a published and commercially-available version

10 of *Ararat* is included in the third-party dataset commonly known as Books3. As Meta lacks

11 knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

12 this RFA.

13 **REQUEST FOR ADMISSION NO. 53:**

14   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Dead*

15 *Ringers*.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

17   Meta incorporates by reference its Objections to Instructions and Definitions, which are

18 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

19 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

20 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

21 commonly known as Books3.

22   Meta lacks information sufficient to admit or deny that *Dead Ringers*, which is the subject

23 of Plaintiff Golden's claim and allegedly subject to copyright protection, is contained in the Books3

24 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Dead*

25 *Ringers* submitted to the U.S. Copyright Office, which delimits what is covered by the

26 corresponding copyright registration. Meta admits that text from a published and commercially-

27 available version of *Dead Ringers* is included in the third-party dataset commonly known as

28

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1   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

2   this work, Meta denies this RFA.

3   **REQUEST FOR ADMISSION NO. 54:**

4   Admit that the Books3 database contains Plaintiff Christopher Golden's work *The Pandora*

5   *Room*.

6   **RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

9   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

10 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

11 commonly known as Books3.

12   Meta lacks information sufficient to admit or deny that *The Pandora Room*, which is the

13 subject of Plaintiff Golden's claim and allegedly subject to copyright protection, is contained in the

14 Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

15 for *The Pandora Room* submitted to the U.S. Copyright Office, which delimits what is covered by

16 the corresponding copyright registration. Meta admits that text from a published and

17 commercially-available version of *The Pandora Room* is included in the third-party dataset

18 commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

19 the deposit copy for this work, Meta denies this RFA.

20 **REQUEST FOR ADMISSION NO. 55:**

21   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Snowblind*.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27 commonly known as Books3.

28

1   Meta lacks information sufficient to admit or deny that *Snowblind*, which is the subject of

2   Plaintiff Golden's claim and allegedly subject to copyright protection, is contained in the Books3

3   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

4   *Snowblind* submitted to the U.S. Copyright Office, which delimits what is covered by the

5   corresponding copyright registration. Meta admits that text from a published and commercially-

6   available version of *Snowblind* is included in the third-party dataset commonly known as

7   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

8   this work, Meta denies this RFA.

9   **REQUEST FOR ADMISSION NO. 56:**

10   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Beautiful*

11   *Struggle*.

12   **RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

15   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

16   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

17   commonly known as Books3.

18   Meta lacks information sufficient to admit or deny that *The Beautiful Struggle*, which is the

19   subject of Plaintiff Coates's claim and allegedly subject to copyright protection, is contained in the

20   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

21   for *The Beautiful Struggle* submitted to the U.S. Copyright Office, which delimits what is covered

22   by the corresponding copyright registration. Meta admits that text from a published and

23   commercially-available version of *The Beautiful Struggle* is included in the third-party dataset

24   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

25   the deposit copy for this work, Meta denies this RFA.

26   **REQUEST FOR ADMISSION NO. 57:**

27   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Water*

28   *Dancer*.

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1   **RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3.

7   Meta lacks information sufficient to admit or deny that *The Water Dancer*, which is the

8   subject of Plaintiff Coates's claim and allegedly subject to copyright protection, is contained in the

9   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

10   for *The Water Dancer* submitted to the U.S. Copyright Office, which delimits what is covered by

11   the corresponding copyright registration. Meta admits that text from a published and

12   commercially-available version of *The Water Dancer* is included in the third-party dataset

13   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

14   the deposit copy for this work, Meta denies this RFA.

15   **REQUEST FOR ADMISSION NO. 58:**

16   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *We Were Eight*

17   *Years in Power*.

18   **RESPONSE TO REQUEST FOR ADMISSION NO. 58:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, which are

20   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

21   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

22   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

23   commonly known as Books3.

24   Meta lacks information sufficient to admit or deny that *We Were Eight Years in Power*,

25   which is the subject of Plaintiff Coates's claim and allegedly subject to copyright protection, is

26   contained in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce,

27   the deposit copy for *We Were Eight Years in Power* submitted to the U.S. Copyright Office, which

28   delimits what is covered by the corresponding copyright registration. Meta admits that text from a

1   published and commercially-available version of *We Were Eight Years in Power* is included in the

2   third-party dataset commonly known as Books3. As Meta lacks knowledge as to whether that text

3   is also included in the deposit copy for this work, Meta denies this RFA.

4   **REQUEST FOR ADMISSION NO. 59:**

5   Admit that the Books3 database contains Plaintiff Junot Díaz's work *The Brief Wondrous*

6   *Life of Oscar Wao*.

7   **RESPONSE TO REQUEST FOR ADMISSION NO. 59:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, which are

9   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

10   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

11   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

12   commonly known as Books3.

13   Meta lacks information sufficient to admit or deny that *The Brief Wondrous Life of Oscar*

14   *Wao*, which is the subject of Plaintiff Diaz's claim and allegedly subject to copyright protection, is

15   contained in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce,

16   the deposit copy for *The Brief Wondrous Life of Oscar Wao* submitted to the U.S. Copyright Office,

17   which delimits what is covered by the corresponding copyright registration. Meta admits that text

18   from a published and commercially-available version of *The Brief Wondrous Life of Oscar Wao* is

19   included in the third-party dataset commonly known as Books3. As Meta lacks knowledge as to

20   whether that text is also included in the deposit copy for this work, Meta denies this RFA.

21   **REQUEST FOR ADMISSION NO. 60:**

22   Admit that the Books3 database contains Plaintiff Junot Díaz's work *Drown*.

23   **RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28   commonly known as Books3.

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Meta lacks information sufficient to admit or deny that *Drown*, which is the subject of Plaintiff Diaz's claim and allegedly subject to copyright protection, is contained in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Drown* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding copyright registration. Meta admits that text from a published and commercially-available version of *Drown* is included in the third-party dataset commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for this work, Meta denies this RFA.

REQUEST FOR ADMISSION NO. 61:

Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The Confessions of Max Tivoli*.

RESPONSE TO REQUEST FOR ADMISSION NO. 61:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create, commonly known as Books3.

Meta lacks information sufficient to admit or deny that *The Confessions of Max Tivoli*, which is the subject of Plaintiff Greer's claim and allegedly subject to copyright protection, is contained in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *The Confessions of Max Tivoli* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding copyright registration. Meta admits that text from a published and commercially-available version of *The Confessions of Max Tivoli* is included in the third-party dataset commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for this work, Meta denies this RFA.

REQUEST FOR ADMISSION NO. 62:

Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *How It Was For Me*.

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3.

7   Meta lacks information sufficient to admit or deny that *How It Was For Me*, which is the

8   subject of Plaintiff Greer's claim and allegedly subject to copyright protection, is contained in the

9   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

10   for *How It Was For Me* submitted to the U.S. Copyright Office, which delimits what is covered by

11   the corresponding copyright registration. Meta admits that text from a published and

12   commercially-available version of *How It Was For Me* is included in the third-party dataset

13   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

14   the deposit copy for this work, Meta denies this RFA.

15   **REQUEST FOR ADMISSION NO. 63:**

16   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *Less*.

17   **RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

20   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

21   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

22   commonly known as Books3.

23   Meta lacks information sufficient to admit or deny that *Less*, which is the subject of Plaintiff

24   Greer's claim and allegedly subject to copyright protection, is contained in the Books3 dataset

25   because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Less* submitted

26   to the U.S. Copyright Office, which delimits what is covered by the corresponding copyright

27   registration. Meta admits that text from a published and commercially-available version of *Less* is

28   included in the third-party dataset commonly known as Books3. As Meta lacks knowledge as to

1 whether that text is also included in the deposit copy for this work, Meta denies this RFA.

2 **REQUEST FOR ADMISSION NO. 64:**

3   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The Path of*

4 *Minor Planets*.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

6   Meta incorporates by reference its Objections to Instructions and Definitions, which are

7 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

8 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

9 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

10 commonly known as Books3.

11   Meta lacks information sufficient to admit or deny that *The Path of Minor Planets*, which

12 is the subject of Plaintiff Greer's claim and allegedly subject to copyright protection, is contained

13 in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

14 copy for *The Path of Minor Planets* submitted to the U.S. Copyright Office, which delimits what

15 is covered by the corresponding copyright registration. Meta admits that text from a published and

16 commercially-available version of *The Path of Minor Planets* is included in the third-party dataset

17 commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

18 the deposit copy for this work, Meta denies this RFA.

19 **REQUEST FOR ADMISSION NO. 65:**

20   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Golden*

21 *Child*.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27 commonly known as Books3.

28   Meta lacks information sufficient to admit or deny that *Golden Child*, which is the subject

1 of Plaintiff Hwang's claim and allegedly subject to copyright protection, is contained in the Books3

2 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Golden*

3 *Child* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

4 copyright registration. Meta admits that text from a published and commercially-available version

5 of *Golden Child* is included in the third-party dataset commonly known as Books3. As Meta lacks

6 knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

7 this RFA.

8 **REQUEST FOR ADMISSION NO. 66:**

9   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *M. Butterfly*.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15 commonly known as Books3.

16   Meta lacks information sufficient to admit or deny that *M. Butterfly*, which is the subject of

17 Plaintiff Hwang's claim and allegedly subject to copyright protection, is contained in the Books3

18 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *M.*

19 *Butterfly* submitted to the U.S. Copyright Office, which delimits what is covered by the

20 corresponding copyright registration. Meta admits that text from a published and commercially-

21 available version of *M. Butterfly* is included in the third-party dataset commonly known as

22 Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

23 this work, Meta denies this RFA.

24 **REQUEST FOR ADMISSION NO. 67:**

25   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Trying to*

26 *Find Chinatown*.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

28   Meta incorporates by reference its Objections to Instructions and Definitions, which are

1   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

2   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

3   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

4   commonly known as Books3.

5   Meta lacks information sufficient to admit or deny that *Trying to Find Chinatown*, which is

6   the subject of Plaintiff Hwang's claim and allegedly subject to copyright protection, is contained

7   in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

8   copy for *Trying to Find Chinatown* submitted to the U.S. Copyright Office, which delimits what is

9   covered by the corresponding copyright registration. Meta admits that text from a published and

10   commercially-available version of *Trying to Find Chinatown* is included in the third-party dataset

11   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

12   the deposit copy for this work, Meta denies this RFA.

13   **REQUEST FOR ADMISSION NO. 68:**

14   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Sam the Cat*.

15   **RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, which are

17   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

18   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

19   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

20   commonly known as Books3.

21   Meta lacks information sufficient to admit or deny that *Sam the Cat*, which is the subject of

22   Plaintiff Klam's claim and allegedly subject to copyright protection, is contained in the Books3

23   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Sam*

24   *the Cat* submitted to the U.S. Copyright Office, which delimits what is covered by the

25   corresponding copyright registration. Meta admits that text from a published and commercially-

26   available version of *Sam the Cat* is included in the third-party dataset commonly known as

27   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

28   this work, Meta denies this RFA.

1   **REQUEST FOR ADMISSION NO. 69:**

2   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Who is Rich*?

3   **RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3.

9   Meta lacks information sufficient to admit or deny that *Who is Rich?*, which is the subject

10   of Plaintiff Klam's claim and allegedly subject to copyright protection, is contained in the Books3

11   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Who*

12   *is Rich?* submitted to the U.S. Copyright Office, which delimits what is covered by the

13   corresponding copyright registration. Meta admits that text from a published and commercially-

14   available version of *Who is Rich?* is included in the third-party dataset commonly known as

15   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

16   this work, Meta denies this RFA.

17   **REQUEST FOR ADMISSION NO. 70:**

18   Admit that the Books3 database contains Plaintiff Laura Lippman's work *After I'm Gone*.

19   **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

22   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

23   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

24   commonly known as Books3.

25   Meta lacks information sufficient to admit or deny that *After I'm Gone*, which is the subject

26   of Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in the

27   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

28   for *After I'm Gone* submitted to the U.S. Copyright Office, which delimits what is covered by the

1 corresponding copyright registration. Meta admits that text from a published and commercially-

2 available version of *After I'm Gone* is included in the third-party dataset commonly known as

3 Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

4 this work, Meta denies this RFA.

5 **REQUEST FOR ADMISSION NO. 71:**

6   Admit that the Books3 database contains Plaintiff Laura Lippman's work *In a Strange City*.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, which are

9 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

10 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

11 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

12 commonly known as Books3.

13   Meta lacks information sufficient to admit or deny that *In a Strange City*, which is the

14 subject of Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in

15 the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

16 copy for *In a Strange City* submitted to the U.S. Copyright Office, which delimits what is covered

17 by the corresponding copyright registration. Meta admits that text from a published and

18 commercially-available version of *In a Strange City* is included in the third-party dataset commonly

19 known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit

20 copy for this work, Meta denies this RFA.

21 **REQUEST FOR ADMISSION NO. 72:**

22   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Lady in the Lake*.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28 commonly known as Books3.

1   Meta lacks information sufficient to admit or deny that *Lady in the Lake*, which is the subject

2   of Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in the

3   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

4   for *Lady in the Lake* submitted to the U.S. Copyright Office, which delimits what is covered by the

5   corresponding copyright registration. Meta admits that text from a published and commercially-

6   available version of *Lady in the Lake* is included in the third-party dataset commonly known as

7   Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy for

8   this work, Meta denies this RFA.

9   **REQUEST FOR ADMISSION NO. 73:**

10   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Sunburn*.

11   **RESPONSE TO REQUEST FOR ADMISSION NO. 73:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16   commonly known as Books3.

17   Meta lacks information sufficient to admit or deny that *Sunburn*, which is the subject of

18   Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in the Books3

19   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

20   *Sunburn* submitted to the U.S. Copyright Office, which delimits what is covered by the

21   corresponding copyright registration. Meta admits that text from a published and commercially-

22   available version of *Sunburn* is included in the third-party dataset commonly known as Books3. As

23   Meta lacks knowledge as to whether that text is also included in the deposit copy for this work,

24   Meta denies this RFA.

25   **REQUEST FOR ADMISSION NO. 74:**

26   Admit that the Books3 database contains Plaintiff Laura Lippman's work *What the Dead*

27   *Know*.

28

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3.

7   Meta lacks information sufficient to admit or deny that *What the Dead Know*, which is the

8   subject of Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in

9   the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

10   copy for *What the Dead Know* submitted to the U.S. Copyright Office, which delimits what is

11   covered by the corresponding copyright registration. Meta admits that text from a published and

12   commercially-available version of *What the Dead Know* is included in the third-party dataset

13   commonly known as Books3. As Meta lacks knowledge as to whether that text is also included in

14   the deposit copy for this work, Meta denies this RFA.

15   **REQUEST FOR ADMISSION NO. 75:**

16   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Wilde Lake*.

17   **RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

20   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

21   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

22   commonly known as Books3.

23   Meta lacks information sufficient to admit or deny that *Wilde Lake*, which is the subject of

24   Plaintiff Lippman's claim and allegedly subject to copyright protection, is contained in the Books3

25   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Wilde*

26   *Lake* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

27   copyright registration. Meta admits that text from a published and commercially-available version

28   of *Wilde Lake* is included in the third-party dataset commonly known as Books3. As Meta lacks

1   knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

2   this RFA.

3   **REQUEST FOR ADMISSION NO. 76:**

4   Admit that the Books3 database contains Plaintiff Rachel Louise Snyder's work *No Visible*

5   *Bruises: What We Don't Know About Domestic Violence Can Kill Us*.

6   **RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

9   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

10   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

11   commonly known as Books3.

12   Meta admits that text from *No Visible Bruises: What We Don't Know About Domestic*

13   *Violence Can Kill Us* is included in the third party dataset Books3 dataset. Except as expressly

14   admitted, Meta denies this RFA.

15   **REQUEST FOR ADMISSION NO. 77:**

16   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Embraced*.

17   **RESPONSE TO REQUEST FOR ADMISSION NO. 77:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

20   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

21   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

22   commonly known as Books3.

23   Meta lacks information sufficient to admit or deny that *Embraced*, which is the subject of

24   Plaintiff TerKeurst's claim and allegedly subject to copyright protection, is contained in the Books3

25   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

26   *Embraced* submitted to the U.S. Copyright Office, which delimits what is covered by the

27   corresponding copyright registration. Meta admits that text from a published and commercially-

28   available version of *Embraced* is included in the dataset commonly known as Books3. As Meta

1   lacks knowledge as to whether that text is also included in the deposit copy for this work, Meta

2   denies this RFA.

3   **REQUEST FOR ADMISSION NO. 78:**

4   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Unglued*.

5   **RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

6   Meta incorporates by reference its Objections to Instructions and Definitions, which are

7   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

8   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

9   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

10   commonly known as Books3.

11   Meta lacks information sufficient to admit or deny that *Unglued*, which is the subject of

12   Plaintiff TerKeurst's claim and allegedly subject to copyright protection, is contained in the Books3

13   dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

14   *Unglued* submitted to the U.S. Copyright Office, which delimits what is covered by the

15   corresponding copyright registration. Meta admits that text from a published and commercially-

16   available version of *Unglued* is included in the dataset commonly known as Books3. As Meta lacks

17   knowledge as to whether that text is also included in the deposit copy for this work, Meta denies

18   this RFA.

19   **REQUEST FOR ADMISSION NO. 79:**

20   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Made to Crave*

21   *Devotional*.

22   **RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27   commonly known as Books3.

28   Meta lacks information sufficient to admit or deny that *Made to Crave Devotional*, which

1   is the subject of Plaintiff TerKeurst's claim and allegedly subject to copyright protection, is

2   contained in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce,

3   the deposit copy for *Made to Crave Devotional* submitted to the U.S. Copyright Office, which

4   delimits what is covered by the corresponding copyright registration. Meta admits that text from a

5   published and commercially-available version of *Made to Crave Devotional* is included in the

6   dataset commonly known as Books3. As Meta lacks knowledge as to whether that text is also

7   included in the deposit copy for this work, Meta denies this RFA.

8   **REQUEST FOR ADMISSION NO. 80:**

9   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *After Tupac*

10 *& D Foster*.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16 commonly known as Books3.

17   Meta lacks information sufficient to admit or deny that *After Tupac & D Foster*, which is

18 the subject of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained

19 in the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

20 copy for *After Tupac & D Foster* submitted to the U.S. Copyright Office, which delimits what is

21 covered by the corresponding copyright registration. Meta admits that text from a published and

22 commercially-available version of *After Tupac & D Foster* is included in the dataset commonly

23 known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit

24 copy for this work, Meta denies this RFA.

25 **REQUEST FOR ADMISSION NO. 81:**

26   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Another*

27 *Brooklyn*.

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1 **RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6 commonly known as Books3.

7   Meta lacks information sufficient to admit or deny that *Another Brooklyn*, which is the

8 subject of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in

9 the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

10 copy for *Another Brooklyn* submitted to the U.S. Copyright Office, which delimits what is covered

11 by the corresponding copyright registration. Meta admits that text from a published and

12 commercially-available version of *Another Brooklyn* is included in the dataset commonly known

13 as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy

14 for this work, Meta denies this RFA.

15 **REQUEST FOR ADMISSION NO. 82:**

16   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Behind You*.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

20 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

21 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

22 commonly known as Books3.

23   Meta lacks information sufficient to admit or deny that *Behind You*, which is the subject of

24 Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in the Books3

25 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Behind*

26 *You* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

27 copyright registration. Meta admits that text from a published and commercially-available version

28 of *Behind You* is included in the dataset commonly known as Books3. As Meta lacks knowledge

1   as to whether that text is also included in the deposit copy for this work, Meta denies this RFA.

2   **REQUEST FOR ADMISSION NO. 83:**

3   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Beneath a*

4   *Meth Moon*.

5   **RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

6   Meta incorporates by reference its Objections to Instructions and Definitions, which are

7   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

8   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

9   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

10   commonly known as Books3.

11   Meta lacks information sufficient to admit or deny that *Beneath a Meth Moon*, which is the

12   subject of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in

13   the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

14   copy for *Beneath a Meth Moon* submitted to the U.S. Copyright Office, which delimits what is

15   covered by the corresponding copyright registration. Meta admits that text from a published and

16   commercially-available version of *Beneath a Meth Moon* is included in the dataset commonly

17   known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit

18   copy for this work, Meta denies this RFA.

19   **REQUEST FOR ADMISSION NO. 84:**

20   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Brown Girl*

21   *Dreaming*.

22   **RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27   commonly known as Books3.

28   Meta lacks information sufficient to admit or deny that *Brown Girl Dreaming*, which is the

1 subject of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in

2 the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

3 copy for *Brown Girl Dreaming* submitted to the U.S. Copyright Office, which delimits what is

4 covered by the corresponding copyright registration. Meta admits that text from a published and

5 commercially-available version of *Brown Girl Dreaming* is included in the dataset commonly

6 known as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit

7 copy for this work, Meta denies this RFA.

8 **REQUEST FOR ADMISSION NO. 85:**

9   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Feathers*.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15 commonly known as Books3.

16   Meta lacks information sufficient to admit or deny that *Feathers*, which is the subject of

17 Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in the Books3

18 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for

19 *Feathers* submitted to the U.S. Copyright Office, which delimits what is covered by the

20 corresponding copyright registration. Meta admits that text from a published and commercially-

21 available version of *Feathers* is included in the dataset commonly known as Books3. As Meta

22 lacks knowledge as to whether that text is also included in the deposit copy for this work, Meta

23 denies this RFA.

24 **REQUEST FOR ADMISSION NO. 86:**

25   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Harbor Me*.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 86:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, which are

28 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

3 commonly known as Books3.

4   Meta lacks information sufficient to admit or deny that *Harbor Me*, which is the subject of

5 Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in the Books3

6 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy for *Harbor*

7 *Me* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

8 copyright registration. Meta admits that text from a published and commercially-available version

9 of *Harbor Me* is included in the dataset commonly known as Books3. As Meta lacks knowledge

10 as to whether that text is also included in the deposit copy for this work, Meta denies this RFA.

11 **REQUEST FOR ADMISSION NO. 87:**

12   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *If You Come*

13 *Softly*.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 87:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, which are

16 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

17 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

18 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

19 commonly known as Books3.

20   Meta lacks information sufficient to admit or deny that *If You Come Softly*, which is the

21 subject of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in

22 the Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit

23 copy for *If You Come Softly* submitted to the U.S. Copyright Office, which delimits what is covered

24 by the corresponding copyright registration. Meta admits that text from a published and

25 commercially-available version of *If You Come Softly* is included in the dataset commonly known

26 as Books3. As Meta lacks knowledge as to whether that text is also included in the deposit copy

27 for this work, Meta denies this RFA.

28

1 **REQUEST FOR ADMISSION NO. 88:**

2 Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Miracle's*

3 *Boys*.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are

6 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9 commonly known as Books3.

10 Meta lacks information sufficient to admit or deny that *Miracle's Boys*, which is the subject

11 of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in the

12 Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

13 for *Miracle's Boys* submitted to the U.S. Copyright Office, which delimits what is covered by the

14 corresponding copyright registration. Meta admits that text from a published and commercially-

15 available version of *Miracle's Boys* is included in the dataset commonly known as Books3. As

16 Meta lacks knowledge as to whether that text is also included in the deposit copy for this work,

17 Meta denies this RFA.

18 **REQUEST FOR ADMISSION NO. 89:**

19 Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Red at the*

20 *Bone*.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are

23 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26 commonly known as Books3.

27 Meta lacks information sufficient to admit or deny that *Red at the Bone*, which is the subject

28 of Plaintiff Woodson's claim and allegedly subject to copyright protection, is contained in the

1   Books3 dataset because Meta does not possess, and Plaintiffs failed to produce, the deposit copy

2   for *Red at the Bone* submitted to the U.S. Copyright Office, which delimits what is covered by the

3   corresponding copyright registration. Meta admits that text from a published and commercially-

4   available version of *Red at the Bone* is included in the dataset commonly known as Books3. As

5   Meta lacks knowledge as to whether that text is also included in the deposit copy for this work,

6   Meta denies this RFA.

7   Dated: November 8, 2024   COOLEY LLP

8

9   By: */s/Judd Lauter*
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10   Mark Weinstein
                                                              Kathleen Hartnett
11   Judd Lauter
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PROOF OF SERVICE

  I am a citizen of the United States and a resident of the State of California. I am employed in Santa Clara County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 3175 Hanover Street, Palo Alto, California 94304-1130. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSIONS**

☒ (BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

  Executed on November 8, 2024, at Palo Alto, California.

        /s/ Jocelyn McIntosh
        Jocelyn McIntosh

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*, Individual and Representative Plaintiffs, v. META PLATFORMS, INC., a Delaware corporation; Defendant.	Case No. 3:23-cv-03417-VC **DEFENDANT META PLATFORMS, INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS FOR ADMISSIONS**

1	**PROPOUNDING PARTY:**	**PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH**

RESPONDING PARTY: **DEFENDANT META PLATFORMS, INC.**

SET NUMBER: **SECOND**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure ("Rules"), Defendant Meta Platforms, Inc. ("Meta") responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and Christopher Farnsworth's Second Set of Requests for Admissions ("Requests").

I.   OBJECTIONS AND RESPONSES TO ALL REQUESTS

1.   Meta's responses to the Requests are made to the best of Meta's present knowledge, information, and belief. Said responses are at all times subject to such additional or different information that discovery or further investigation may disclose, and Meta reserves the right to amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

2.   To the extent a Request seeks information that Meta deems to embody material that is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure pursuant to Rule 26(c) and/or Federal Rule of Evidence 501, Meta will only provide such information subject to, and in accordance with, the parties' stipulated protective order (ECF No. 90, the "Protective Order").

3.   The provision of a response to any of these Requests does not constitute a waiver of any objection regarding the use of said response in these proceedings. Meta reserves all objections or other questions as to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action for any purpose whatsoever of this response and any document or thing produced in response to the Requests.

4.   Meta objects to Plaintiffs' Requests insofar as the numbering of the Requests overlaps with the numbering of Plaintiffs' First Set of Requests for Admissions. To avoid

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META'S OBJ & RESPS TO
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1   confusion, Meta has numbered its responses consecutively based on Plaintiffs' First Set of Requests

2   for Admissions, beginning with "Request for Admission No. 90."

3   **5.**   Meta reserves the right to object on any ground at any time to such other or

4   supplemental requests for admission that Plaintiffs may propound involving or relating to the

5   subject matter of these Requests.

6   **II.**   **OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

7   Whether or not separately set forth in response to each Request, Meta makes these

8   objections to the following Instructions and Definitions.

9   **1.**   Meta objects to the definition of "You," "Your," and "Meta Platforms" as

10   overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it

11   purports to require Meta to produce documents outside of its possession, custody, or control. Meta

12   construes "Meta" or "You" to mean Meta Platforms, Inc.

13   **2.**   Meta objects to Instruction 1 as vague and ambiguous as to "Plaintiffs' Second Set

14   of Requests for Production of Documents," as Plaintiffs also served "Plaintiffs' Corrected Second

15   Set of Requests for Production" on the same day, March 20, 2024. Meta further objects to

16   Instruction 1 to the extent that the instructions set forth in Plaintiffs' Second Set of Requests for

17   Production of Documents are inapplicable to responding to requests for admission. To the extent

18   those instructions are applicable to responding to the Requests, Meta incorporates its Objections to

19   Instructions and Definitions set forth in its Objections and Responses to Plaintiffs' Corrected

20   Second Set of Requests for Production of Documents.

21   **3.**   Meta objects to Instruction 2 as overbroad and unduly burdensome to the extent that

22   it purports to require more of Meta than any obligation imposed by law. Meta also objects to this

23   instruction on the ground that it improperly demands narrative responses, which are the proper

24   subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the

25   interrogatory limit.

26   **4.**   Meta objects to Instruction No. 5 as vague, ambiguous, and unintelligible. Meta

27   will answer the Requests as provided under Rule 36(a)(4).

28

5.   Meta objects to Instruction Nos. 8 and 9 as overbroad and unduly burdensome to the extent that they purport to require more of Meta than any obligation imposed by law.

6.   Meta objects to Instruction 10 as overbroad and unduly burdensome to the extent that it purports to require more of Meta than any obligation imposed by law. Meta also objects to this instruction on the ground that it improperly demands narrative responses, which are the proper subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the interrogatory limit.

III.   **OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

REQUEST FOR ADMISSION NO. 90:

Admit that *Blood Oath* by Christopher Farnsworth was included in a dataset used to train Your large language models.

RESPONSE TO REQUEST FOR ADMISSION NO. 90:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term "large language models" as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models ("LLMs") that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, and Llama 4.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta lacks information sufficient to admit or deny that *Blood Oath*, which is the subject of Plaintiff Farnsworth's claim and allegedly subject to copyright protection, is contained in a dataset used to train Meta's large language models because Plaintiff Farnsworth has not produced, and Meta does not possess, the deposit copy for *Blood Oath* submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding copyright registration. Meta admits that text from a published and commercially-available version of *Blood Oath* is included in a dataset used to train Meta's large language models, as that term is construed above. As Meta lacks knowledge as to whether

1   that text (or all of that text) is also included in the deposit copy for this work, Meta denies this RFA.

2   **REQUEST FOR ADMISSION NO. 91:**

3   Admit that *The President's Vampire* by Christopher Farnsworth was included in a dataset

4   used to train Your large language models.

5   **RESPONSE TO REQUEST FOR ADMISSION NO. 91:**

6   Meta incorporates by reference its Objections to Instructions and Definitions, which are

7   applicable to this Request. Meta further objects to the term "large language models" as vague,

8   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

9   the needs of the case to the extent that it purports to include large language models that were not

10   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

11   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

12   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

13   1, Llama 2, Code Llama, Llama 3, and Llama 4.

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

15   lacks information sufficient to admit or deny that *The President's Vampire*, which is the subject of

16   Plaintiff Farnsworth's claim and allegedly subject to copyright protection, is contained in a dataset

17   used to train Meta's large language models because Plaintiff Farnsworth has not produced, and

18   Meta does not possess, Meta does not possess the deposit copy for *The President's Vampire*

19   submitted to the U.S. Copyright Office, which delimits what is covered by the corresponding

20   copyright registration. Meta admits that text from a published and commercially-available version

21   of *The President's Vampire* is included in a dataset used to train Meta's large language models, as

22   that term is construed above. As Meta lacks knowledge as to whether that text (or all of that text)

23   is also included in the deposit copy for this work, Meta denies this RFA.

24   **REQUEST FOR ADMISSION NO. 92:**

25   Admit that *Red, White, and Blood* by Christopher Farnsworth was included in a dataset used

26   to train Your large language models.

27   **RESPONSE TO REQUEST FOR ADMISSION NO. 92:**

28   Meta incorporates by reference its Objections to Instructions and Definitions, which are

applicable to this Request. Meta further objects to the term "large language models" as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta construes "large language models" to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, and Llama 4. Meta further objects to this Request on the ground that the referenced work, *Red, White, and Blood*, is not alleged to be at issue in this action.

REQUEST FOR ADMISSION NO. 93:

Admit that *The Burning Men: A Nathaniel Cade Story* by Christopher Farnsworth was included in a dataset used to train Your large language models.

RESPONSE TO REQUEST FOR ADMISSION NO. 93:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term "large language models" as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, and Llama 4. Meta further objects to this Request on the ground that the referenced work, *The Burning Men: A Nathaniel Cade Story* is not alleged to be at issue in this action.

REQUEST FOR ADMISSION NO. 94:

Admit that *The Eternal World* by Christopher Farnsworth was included in a dataset used to train Your large language models.

RESPONSE TO REQUEST FOR ADMISSION NO. 94:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term "large language models" as vague,

1 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

2 the needs of the case to the extent that it purports to include large language models that were not

3 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

4 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

5 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

6 1, Llama 2, Code Llama, Llama 3, and Llama 4.

7   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

8 lacks information sufficient to admit or deny that *The Eternal World*, which is the subject of

9 Plaintiff Farnsworth's claim and allegedly subject to copyright protection, is contained in a dataset

10 used to train Meta's large language models because Plaintiff Farnsworth has not produced, and

11 Meta does not possess, the deposit copy for *The Eternal World* submitted to the U.S. Copyright

12 Office, which delimits what is covered by the corresponding copyright registration. Meta admits

13 that text from a published and commercially-available version of *The Eternal World* is included in

14 a dataset used to train Meta's large language models, as that term is construed above. As Meta

15 lacks knowledge as to whether that text (or all of that text) is also included in the deposit copy for

16 this work, Meta denies this RFA.

17 **REQUEST FOR ADMISSION NO. 95:**

18   Admit that *Killfile* by Christopher Farnsworth was included in a dataset used to train Your

19 large language models.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22 applicable to this Request. Meta further objects to the term "large language models" as vague,

23 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

24 the needs of the case to the extent that it purports to include large language models that were not

25 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

26 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

27 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

28

Cooley LLP
Attorneys at Law

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Meta's Obj & Resps to
Pltf's Second Set of RFA's
3:23-cv-03417-VC

1, Llama 2, Code Llama, Llama 3, and Llama 4. Meta further objects to this Request on the ground

that the referenced work, *Killfile*, is not alleged to be at issue in this action.

REQUEST FOR ADMISSION NO. 96:

Admit that *Flashmob* by Christopher Farnsworth was included in a dataset used to train

Your large language models.

RESPONSE TO REQUEST FOR ADMISSION NO. 96:

Meta incorporates by reference its Objections to Instructions and Definitions, which are

applicable to this Request. Meta further objects to the term "large language models" as vague,

ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

the needs of the case to the extent that it purports to include large language models that were not

publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

allegedly copyrighted works. Meta construes the term "large language models" to mean the models

within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

1, Llama 2, Code Llama, Llama 3, and Llama 4.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

lacks information sufficient to admit or deny that *Flashmob*, which is the subject of Plaintiff

Farnsworth's claim and allegedly subject to copyright protection, is contained in a dataset used to

train Meta's large language models because Plaintiff Farnsworth has not produced, and Meta does

not possess, the deposit copy for *Flashmob* submitted to the U.S. Copyright Office, which delimits

what is covered by the corresponding copyright registration. Meta admits that text from a published

and commercially-available version of *Flashmob* is included in a dataset used to train Meta's large

language models, as that term is construed above. As Meta lacks knowledge as to whether that text

(or all of that text) is also included in the deposit copy for this work, Meta denies this RFA.

REQUEST FOR ADMISSION NO. 97:

Admit that *Deep State: A Nathaniel Cade Story* by Christopher Farnsworth was included in

a dataset used to train Your large language models.

META'S OBJ & RESPS TO
PLTF'S SECOND SET OF RFA'S
3:23-CV-03417-VC

RESPONSE TO REQUEST FOR ADMISSION NO. 97:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta further objects to the term "large language models" as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, and Llama 4. Meta further objects to this Request on the ground that the referenced work, *Deep State: A Nathaniel Cade Story*, is not alleged to be at issue in this action.

REQUEST FOR ADMISSION NO. 98:

Admit that you used books sourced from Books3 to train one or more of your large language models.

RESPONSE TO REQUEST FOR ADMISSION NO. 98:

Meta incorporates by reference its Objections to Instructions and Definitions, which are applicable to this Request. Meta objects to this Request and vague, ambiguous, and unintelligible, as written. It is not clear to Meta what it means to use "books sourced from Books3." Meta further objects to the term "large language models" as vague, ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that it purports to include large language models that were not publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean the models within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3, and Llama 4.

Subject to and without waiving the foregoing objections, Meta responds as follows: As written, Meta does not understand this Request and, on that basis, denies the Request. Meta is willing to meet and confer to understand how to interpret this Request.

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3   Dated: November 18, 2024   COOLEY LLP

4   By: */s/Judd Lauter*
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                                                             Kathleen Hartnett
6   Teresa Michaud
                                                             Judd Lauter
7   Liz Stameshkin
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1   **PROOF OF SERVICE**

2   I am a citizen of the United States and a resident of the State of California. I am

3   employed in Los Angeles County, State of California, in the office of a member of the bar of this

4   Court, at whose direction the service was made. I am over the age of eighteen years, and not a

5   party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite

6   900, Los Angeles, CA 90071. On the date set forth below I served the documents described

7   below in the manner described below:

8   • **DEFENDANT META PLATFORMS, INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFFS'**
             SECOND SET OF REQUESTS FOR ADMISSIONS
9
          ☒   (BY ELECTRONIC MAIL) I am personally and readily familiar with the business
10   practice of Cooley LLP for the preparation and processing of documents in
                portable document format (PDF) for e-mailing, and I caused said documents to be
11   prepared in PDF and then served by electronic mail to the parties listed below.

12   on the following part(ies) in this action:

13   *Service list on next page.*

14   Executed on November 18, 2024, at Los Angele, California.

15
                                    /s/Jerry Gonzalez
16   Jerry Gonzalez

17

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**META'S OBJ & RESPS TO
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3:23-CV-03417-VC**

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12   *and Representative Plaintiffs and the Proposed*

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PROOF OF SERVICE

3:23-CV-03417-VC